



**Minutes for Meeting of
Monday, April 25, 2005**

Item-1: Call to Order

Vice-Chairwoman Dorothy Leonard called the meeting to order at 12:00 noon.

Item-2: Roll Call

Present – Vice Chairwoman Dorothy Leonard, Commissioners Charles H. Dick Jr., April Riel, Greg Vega, and Larry Westfall.

Staff – Executive Director Stacey Fulhorst, General Counsel Cristie C. McGuire, Senior Investigator Lauri Davis, and Financial Investigator DeeDee Alari

Excused – Chairwoman Dorothy Smith and Commissioner Karen Thomas-Stefano

Item-3: Random Drawing for Audit of 2004 Election Cycle

Vice-Chairwoman Dorothy Leonard explained the audit selection procedures.

Elections Analyst Bonnie Stone from the City Clerk's Office conducted the random drawing of committees from the 2004 election cycle. The following committees were selected for audit:

Candidate Controlled Committees:

FINANCIAL ACTIVITY BETWEEN \$10,000 AND \$49,999:

Kathryn Burton for City Council
Taxpayers Against Recall Abuse (Scott Peters)
Friends of Bruce Williams

FINANCIAL ACTIVITY BETWEEN \$50,000 AND \$99,999:

Howard Wayne for City Council

FINANCIAL ACTIVITY OF \$100,000 OR MORE:

Mike Aguirre for City Attorney
Friends of Toni Atkins
Deborah Berger for City Attorney
Peter Q. Davis for Mayor
Donna Frye for Mayor
Friends of Mayor Dick Murphy
San Diegans for Scott Peters 2004
San Diegans for Ron Roberts
Phil Thalheimer for City Council

Ballot Measure Committees:

FINANCIAL ACTIVITY BETWEEN \$10,000 AND \$49,999:

Neighborhoods for Accountable Government – A Committee Against Prop F

FINANCIAL ACTIVITY OF \$100,000 OR MORE:

No on Proposition J
Yes on Prop C, the Emergency Services Initiative

Item-4: Approval of Commission Minutes

Approval of March 10, 2005, Ethics Commission Minutes

The Commission trailed this item to its next regularly scheduled meeting.

Item-5: Non-Agenda Public Comment

None.

Item-6: Commissioner Comment

None.

Item-7: Executive Director Comment

Director Fulhorst reported on the retirement of the Commission's former Executive Secretary, Janet MacFarlane, and announced the recent hiring of Kathy Hunt as her replacement.

Item-8 General Counsel Comment

None.

Item-9: Ethics Commission On-Line Recertification Training Program

Director Fulhorst explained the tentative agreement reached with SDDPC regarding the completion of the on-line training application, as outlined in the letter dated April 5, 2005, from President and CEO Tom Fleming.

Motion: Accept terms of tentative agreement with SDDPC and direct staff to finalize agreement.

Moved/Seconded: Westfall/Riel

Vote: Unanimous

Excused: Smith/Stefano

Item-10: Adjournment to Closed Session

Vice-Chairwoman Leonard adjourned the meeting to Closed Session at approximately 12:30 p.m. She stated the Commission would reconvene into Open Session following the conclusion of Closed Session in order to report any action taken during the closed session portion of the meeting.

Reconvene to Open Session

Vice-Chairwoman Leonard called the meeting back into open session at approximately 2:00 p.m.

Reporting Results of Closed Session Meeting of April 25, 2005

Vice-Chairwoman Leonard reported the results of the Closed Session Meeting of April 25, 2005:

Item 1 – Conference with Legal Counsel (11 Potential Matters)

Two items were withdrawn from the agenda.

Case No. 2004-62 – Alleged Failure to Properly Identify “Paid for By” on Mass Mailers

Motion: Approve Stipulation

Moved/Seconded

Vote: Unanimous

Excused: Smith/Stefano

Case No. 2004-68 – Alleged Failure to Disclose Economic Interest

Motion: Approve Stipulation
Moved/Seconded
Vote: Unanimous
Excused: Smith/Stefano

Case No. 2004-15 – In re: Alleged Incompatible Activities and Misuse of City Position

Motion: Dismiss
Moved/Seconded
Vote: Unanimous
Excused: Smith/Stefano/Dick

Case No. 2004-53 – In re: Alleged Contribution in Excess of Limit & Illegal Contribution from Organization

Motion: Dismiss
Moved/Seconded
Vote: Unanimous
Excused: Smith/Stefano

Case No. 2004-56 – In re: Alleged Contribution in Excess of Limit & Alleged Illegal Contribution from Organization

Motion: Dismiss
Moved/Seconded
Vote: Unanimous
Excused: Smith/Stefano

Case No. 2004-60 – In re: Alleged Failure to Obtain Required Contributor Information

No reportable action.

Case No. 2004-69 – In re: Alleged Failure to Maintain Proper Accounting Records

No reportable action.

Case No. 2004-70 – In re: Alleged Failure to Properly Disclose Information on Campaign Statements, Alleged Violation of Contribution Limits and Alleged Violation of Prohibition on Contributions from Organizations

No reportable action.

In re: San Diego Ethics Commission Final Audit Report: 2002 Lobbyist Quarterly Disclosure Reports

Motion: To accept the audit report and take no further action.

Moved/Seconded

Vote: Unanimous

Excused: Smith/Stefano/Dick

The meeting adjourned at approximately 2:10 p.m.

Dorothy Leonard, Vice-Chairwoman
Ethics Commission

Stacey Fulhorst, Executive Director
Ethics Commission

THIS INFORMATION WILL BE MADE AVAILABLE IN ALTERNATIVE FORMATS UPON REQUEST.